

REC'D 2 8 2000

Docket No. 2095

### DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: COMPOUNDS HAVING AFFINITY FOR THE GRANULOCYTE-COLONY STIMULATING FACTOR RECEPTOR (G-CSFR) AND ASSOCIATED USES. The specification of which [ ] is attached hereto or [ X ] was filed on JULY 20, 2000 as Application Serial No. 09/620,091 and was amended on \_\_\_\_\_ (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for the patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

#### Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119
N/A			Yes _____ No _____
			Yes _____ No _____

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date
N/A	

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Date of Filing	Status
N/A		____ Patented ____ Pending ____ Abandoned
		____ Patented ____ Pending ____ Abandoned

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the patent and Trademark office connected herewith.

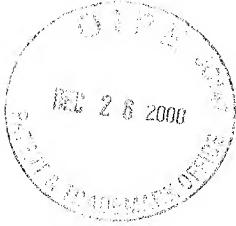
Elaine C. Stracker, Reg. No. 43,166  
Dianne E. Reed, Reg. No. 31,292

Send Correspondence to: <b>Elaine C. Stracker, Ph.D., J.D.</b> <b>Affymax Research Institute</b> <b>4001 Miranda Avenue</b> <b>Palo Alto, CA 94304</b>	Direct Telephone Calls to: <b>Elaine C. Stracker, Ph.D., J.D.</b> <b>Reg. No. 43,166</b> <b>(650) 812-8803</b>
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Full Name of Inventor 1	Last Name CWIRLA	First Name STEVEN	Middle Name or Initial E.	
Residence & Citizenship	City Menlo Park	State/Foreign Country California	Country of Citizenship USA	
Post Office Address	Post Office Address 111 Hedge Road	City Menlo Park	State/Country California	Zip Code 94025
Full Name of Inventor 2	Last Name BALU	First Name PALANI	Middle Name or Initial --	
Residence & Citizenship	City Cupertino	State/Foreign Country California	Country of Citizenship US	
Post Office Address	Post Office Address 21856 Dolores Avenue	City Cupertino	State/Country California	Zip Code 95014
Full Name of Inventor 3	Last Name DUFFIN	First Name DAVID	Middle Name or Initial J.	
Residence & Citizenship	City Durham	State/Foreign Country North Carolina	Country of Citizenship USA	
Post Office Address	Post Office Address 1920 Sprunt Avenue	City Durham	State/Country North Carolina	Zip Code 27705
Full Name of Inventor 4	Last Name PIPLANI	First Name SUNILA	Middle Name or Initial --	
Residence & Citizenship	City Mountain View	State/Foreign Country California	Country of Citizenship Permanent US resident	
Post Office Address	Post Office Address 124 Promethean Way	City Mountain view	State/Country California	Zip Code 94043
Full Name of Inventor 5	Last Name MCEOWEN MERRILL	First Name BARBARA	Middle Name or Initial	
Residence & Citizenship	City Durham	State/Foreign Country North Carolina	Country of Citizenship USA	
Post Office Address	Post Office Address 7 Swallows Ridge Court	City Durham	State/Country North Carolina	Zip Code 27713
Full Name of Inventor 6	Last Name SCHATZ	First Name PETER	Middle Name or Initial J.	
Residence & Citizenship	City Cupertino	State/Foreign Country California	Country of Citizenship US	
Post Office Address	Post Office Address 10949 Sycamore Drive	City Cupertino	State/Country California	Zip Code 95014

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Steven E. Cwirla	Palani Balu
Date:	Date:
David J. Duffin	Sunila Piplani
Date:	Date:
 Barbara McEowen Merrill	Peter J. Schatz
Date: Oct -100	



JHS Docket No. 2095

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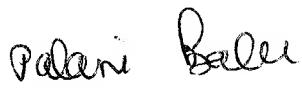
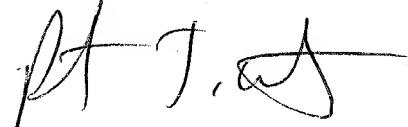
**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the patent and Trademark office connected herewith.

Elaine C. Stracker, Reg. No. 43,166  
Dianne E. Reed, Reg. No. 31,292

Send Correspondence to: <b>Elaine C. Stracker, Ph.D., J.D.</b> <b>Affymax Research Institute</b> <b>4001 Miranda Avenue</b> <b>Palo Alto, CA 94304</b>	Direct Telephone Calls to: <b>Elaine C. Stracker, Ph.D., J.D.</b> <b>Reg. No. 43,166</b> <b>(650) 812-8803</b>
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Full Name of Inventor 1	Last Name CWIFILA	First Name STEVEN	Middle Name or Initial E.	
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 Steven E. Cwirla	 Palani Balu
Date: 10/25/00	Date: October 2, 2000
 David J. Duffin	 Sunila Piplani
Date: 9-20-00	Date: 10-5-00
Barbara McEowen Merrill	 Peter J. Schatz
Date:	10/6/00

ASSIGNMENT OF PATENT APPLICATION

WHEREAS,

**Steven E. Cwirla**, 111 Hedge Road, Menlo Park, California 94025;  
**Palani Balu**, 21856 Dolores Avenue, Cupertino, California 95014;  
**David J. Duffin**, residing at 1920 Sprunt Avenue, Durham, North Carolina 27705;  
**Sunila Piplani**, residing at 124 Promethean Way, Mountain View, California 94043;  
**Barbara McEowen Merrill**, residing at 7 Swallows Ridge Court, Durham, North Carolina 27713  
**Peter J. Schatz**, residing at 10949 Sycamore Drive, Cupertino, California 95014;

hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below identified application for United States Letters Patent, hereinafter referred to as said invention and improvements:

Title of the Invention: **COMPOUNDS HAVING AFFINITY FOR THE GRANULOCYTE-COLONY STIMULATING FACTOR RECEPTOR (G-CSFR) AND ASSOCIATED USES**

Filing date: JULY 20, 2000 Serial No.: 09/620,091 and;

WHEREAS, GLAXO WELLCOME INC., a corporation organized and existing under and by virtue of the laws of the State of North Carolina and having its principal place of business at Five Moore Drive, Research Triangle Park, North Carolina 27709, USA, is desirous of acquiring the whole right, title and interest in and to said invention and improvements and said application, and in and to any Letters Patent to be obtained therefor, in the United States, its territories and possessions; and;

WHEREAS, GLAXO GROUP LIMITED, a company incorporated in England, whose registered office is at Glaxo Wellcome House, Berkeley Avenue, Greenford, Middlesex, UB6 0NN, UK, is desirous of acquiring the whole right, title and interest in and to said invention and improvements, and in and to any applications for said invention and improvements and any Letters Patent to be obtained therefor, in all countries other than the United States, its territories and possessions;

NOW, THEREFORE, to all whom it may concern, be it known that Assignors for good and valuable consideration, the receipt whereof is hereby acknowledged by Assignors, have sold, assigned and transferred, and by these presents do sell, assign and transfer Assignors whole right, title and interest in and to said invention and improvements to said GLAXO WELLCOME INC. throughout the United States of America, its territories and possessions, and in and to said application and any extensions, reissues, continuations, continuations-in-part, and any divisions thereof, and in and to any and all Letters Patent of the United States of America;

AND, Assignors whole right, title and interest in and to said invention and improvements to GLAXO GROUP LTD., in all other countries throughout the world, and in to any applications in said other countries, and continuations-in-part, patents of addition, revalidation patents, patents of importation, registrations, and any renewals, extensions and divisions thereof, and in and to any and all Letters Patent of said all other countries which may be granted on said invention and improvements including any priority rights under the International Convention.

AND, Assignors hereby authorize and request the issue of any Letters Patent in the respective areas referred to, to said GLAXO WELLCOME INC. or GLAXO GROUP LTD., as assignee of our whole right, title and interest in and to the same for the sole use and behoof of the said assignees, their successors and assigns as their interests appear herein;

AND, Assignors warrant that they have not knowingly conveyed to others any right in said invention, improvements, applications or patents or any license to use the same or to make, use or sell anything embodying or utilizing said invention and improvements and that Assignors have good right to assign the same to GLAXO WELLCOME INC. and GLAXO GROUP LTD.;

AND, Assignors for the consideration aforesaid, do hereby agree that Assignors executors or legal representatives, will provide information and make, execute and deliver any and all other instruments in writing, and any and all further acts, application papers, affidavits, assignments and other documents which may be necessary or desirable to more effectually secure to and vest in said GLAXO WELLCOME INC. and GLAXO GROUP LTD., their successors and assigns, the whole, right, title and interest in and to the said invention and improvements, applications, Letters Patent, rights, title and interest hereby sold, assigned and conveyed, or intended so to be.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

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Steven E. Cwirla

date

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Palani Balu

date

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David J. Duffin

date

---

Sunila Piplani

date

  
Barbara McEwen Merrill

  
date

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Peter J. Schatz

date